
SENATE BILL 5243

State of Washington

59th Legislature

2005 Regular Session

By Senators Kohl-Welles, Hargrove and Stevens

Read first time 01/18/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to assessments for the prostitution prevention and
2 intervention account; amending RCW 9.68A.105 and 9A.88.120; and
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 9.68A.105 and 1995 c 353 s 12 are each amended to read
6 as follows:

7 (1)(a) In addition to penalties set forth in RCW 9.68A.100, a
8 person who is either convicted or given a deferred sentence or a
9 deferred prosecution or who has entered into a diversion agreement as
10 a result of an arrest for violating RCW 9.68A.100 or a comparable
11 county or municipal ordinance shall be assessed a two hundred fifty
12 dollar fee.

13 (b) The court may not suspend payment of all or part of the fee
14 unless it finds that the person does not have the ability to pay.

15 (c) When a minor has been adjudicated a juvenile offender or has
16 entered into a diversion agreement for an offense which, if committed
17 by an adult, would constitute a violation of RCW 9.68A.100 or a
18 comparable county or municipal ordinance, the court shall assess the

1 fee under (a) of this subsection. The court may not suspend payment of
2 all or part of the fee unless it finds that the minor does not have the
3 ability to pay the fee.

4 (2) The fee assessed under subsection (1) of this section shall be
5 collected by the clerk of the court and distributed each month to the
6 state treasurer for deposit in the prostitution prevention and
7 intervention account under RCW 43.63A.740 for the purpose of funding
8 prostitution prevention and intervention activities.

9 (3) For the purposes of this section, "diversion agreement" means
10 an agreement under RCW 13.40.080 or any written agreement between a
11 person accused of an offense listed in subsection (1) of this section
12 and a court or a county or city prosecutor, or a designee thereof,
13 whereby the person agrees to fulfill certain conditions in lieu of
14 prosecution.

15 **Sec. 2.** RCW 9A.88.120 and 1995 c 353 s 13 are each amended to read
16 as follows:

17 (1)(a) In addition to penalties set forth in RCW 9A.88.010,
18 9A.88.030, and 9A.88.090, a person who is either convicted or given a
19 deferred sentence or a deferred prosecution or who has entered into a
20 diversion agreement as a result of an arrest for violating RCW
21 9A.88.010, 9A.88.030, 9A.88.090, or comparable county or municipal
22 ordinances shall be assessed a fifty dollar fee.

23 (b) In addition to penalties set forth in RCW 9A.88.110, a person
24 who is either convicted or given a deferred sentence or a deferred
25 prosecution or who has entered into a diversion agreement as a result
26 of an arrest for violating RCW 9A.88.110 or a comparable county or
27 municipal ordinance shall be assessed a one hundred fifty dollar fee.

28 (c) In addition to penalties set forth in RCW 9A.88.070 and
29 9A.88.080, a person who is either convicted or given a deferred
30 sentence or a deferred prosecution or who has entered into a diversion
31 agreement as a result of an arrest for violating RCW 9A.88.070,
32 9A.88.080, or comparable county or municipal ordinances shall be
33 assessed a three hundred dollar fee.

34 (2) The court may not suspend payment of all or part of the fee
35 unless it finds that the person does not have the ability to pay.

36 (3) When a minor has been adjudicated a juvenile offender or has
37 entered into a diversion agreement for an offense which, if committed

1 by an adult, would constitute a violation under this chapter or
2 comparable county or municipal ordinances, the court shall assess the
3 fee as specified under subsection (1) of this section. The court may
4 not suspend payment of all or part of the fee unless it finds that the
5 minor does not have the ability to pay the fee.

6 (4) Any fee assessed under this section shall be collected by the
7 clerk of the court and distributed each month to the state treasurer
8 for deposit in the prostitution prevention and intervention account
9 under RCW 43.63A.740 for the purpose of funding prostitution prevention
10 and intervention activities.

11 (5) For the purposes of this section, "diversion agreement" means
12 an agreement under RCW 13.40.080 or any written agreement between a
13 person accused of an offense listed in subsection (1) of this section
14 and a court or a county or city prosecutor, or a designee thereof,
15 whereby the person agrees to fulfill certain conditions in lieu of
16 prosecution.

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